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## AIDE-MEMOIRE

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The Department of State restates and emphasizes in the strongest terms the protests, both oral and written, made to the Ministry of Foreign Affairs by our Embassy in Buenos Aires regarding the failure of the Government of Argentina to grant consular access to Father James Martin Weeks who was detained in Cordoba August 3, 1976.

Our Embassy learned of Father Weeks' arrest through private citizens and raised the matter with the Argentine Foreign Ministry, officially requesting on August 6 authorization to send a consular official to Cordoba to see Father Weeks. The Ministry took the position that Father Weeks was being held incommunicado and under Argentine law could not be visited as long as he was being held in that status.

The Department considers this interpretation to be in violation of the 1963 Vienna Convention on Consular Relations to which the United States and Argentina are parties. Article 36, paragraph 1, subparagraph (A) states quite clearly that consular officers shall be free to communicate with nationals of the sending state and to have access to them. Nationals of the sending state shall have the same freedom with respect to communication with and access to consular officers of the sending state. Paragraph

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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

Release ( ) Excise ( ) Deny

Exemption(s):

Declassify: ( ) In Part ( ) In Full

( ) Classify as ( ) Extend as ( ) Downgrade to

Date Declassify on Reason

2 of Article 36 does indicate that the right is exercised in conformity with the laws and regulations of the receiving state; however, those laws must enable full effect to be given to the purposes for which the rights accorded under this article are intended. In other words, the laws of the country must be consistent with Article 36.

The Department strongly urges the Argentine Government to reexamine its position and to authorize immediate consular access to Father Weeks. The continued denial of consular access in violation of an international agreement could be damaging to relations between our two countries.

Drafted: AFA/BCA: RW Zimmermann: nr  
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Clearances: ARA:  
S/S-S: MEDonham

Department of State,

Washington,